

REMARKS

Claims 1-18 are pending in this application. By this Amendment, the specification and claims 1, 4, 6, 7 and 9-18 are amended. Claims 1, 4, 6, 7 and 9-18 are amended to recite features supported in the specification on paragraphs [0048], [0051], [0052], [0059] and [0074]. No new matter is added by any of these amendments.

Reconsideration based on the following remarks is respectfully requested.

I. Amendment Entry after Final Rejection

Entry of this amendment is proper under 37 CFR §1.116 because the amendments: a) place the application in condition for allowance (for all the reasons discussed herein); b) do not raise any new issues requiring further search or consideration; c) place the application in better condition for appeal (if necessary); and d) address formal requirements of the Final Rejection and preceding Office Action. The foregoing amendments do not raise any new issues after Final Rejection. Therefore, entry of the amendments is proper under 37 CFR §1.116 because the amendments place the application in condition for allowance.

Accordingly, Applicant respectfully requests entry of this Amendment.

II. Claims 16 and 17 Satisfy All Formal Requirements

The Final Office Action objects to claims 16 and 17 for informalities as being indefinite. Claims 16 and 17 are amended to obviate the objection. Specifically, claims 16 and 17 are amended to recite features supported in the specification at paragraph [0074].

In particular, the term “visual compensating film” is disclosed in the specification as enhancing contrast of the image. Withdrawal of the objection is respectfully requested.

III. Claims 1-18 Define Patentable Subject Matter

The Final Office Action rejects claims 1-3, 5-13 and 16-18 under 35 U.S.C. §103(a) over U.S. Patent 6,375,328 to Hashizume *et al.* (Hashizume) in view of U.S. Patent 6,340,404 to Oka *et al.* (Oka) and U.S. Patent 4,765,729 to Taniguchi. This rejection is respectfully traversed.

Hashizume, Oka and Taniguchi do not teach or suggest a electro-optical apparatus, including a pair of substrates, the pair of substrates having an outer surface, a holding frame housing the pair of substrates, the holding frame having an outer surface, an electro-optical element sandwiched between the pair of substrates, and an antistatic layer provided on the outer surface of the holding frame and at least one of the pair of substrates, the antistatic layer having a thickness between 100 and 200 nm and containing conductive particulates, the conductive particulates include any of Pd, Pt, Ru, Ti, In, Cu, Cr, Fe, Zn, Ta, W, Pb, HfB₂, ZrB₂, LaB₆, CeB₆, YB₄, GdB₄, TiC, ZrC, HfC, TaC, SiC, WC, TiN, ZrN, HfN, Si and Ge, as recited in claim 1. This argument applies by extension to claims 2-18 as depending from claim 1.

Further, Hashizume, Oka and Taniguchi fail to teach or suggest a projector including, *inter alia*, a light source, a color separating optical system, a case containing the the light source and the color separating optical system, the case having an inner surface onto which a surfactant is applied to form an antistatic treatment layer, a plurality of electro-optical apparatuses that modulate the color beams that have been separated by the color separating optical system, the plurality of electro-optical apparatuses, a prism, and a projection lens, as recited in claim 6 and similarly recited in claims 10-18.

Instead, Hashizume discloses optical modulation elements in a color separation optical system 924. These elements and plates are framed by anti-static dust-preventing members 965 R, G, B. See, *e.g.*, col. 10, lines 34-46 and Fig. 6(B) of Hashizume. However, there is no teaching in Hashizume regarding the thickness of an antistatic layer. Nor does Hashizume teach or suggest conductive particulates contained within the antistatic layer. See, *e.g.*, col. 9, lines 1-18, col. 10, lines 34-46, col. 11, lines 63 - col. 12, line 2 of Hashizume. Instead, Hashizume teaches that the dust-preventing member can be composed of resin containing glass fiber. See *e.g.*, col. 13, lines 25-30. Thus, none of the Applicant's conductive materials recited for the particulates is provided by Hashizume.

In addition, Oka does not compensate for the deficiencies of Hashizume, but rather discloses an antiglare layer 12 having a fine uneven surface formed on a transparent substrate film 11, and a low refractive index layer 13 on the antiglare layer 12. See, *e.g.*, col. 22, lines 30-39, col. 24, lines 6-11 and Fig. 12A of Oka. While Oka also teaches addition of fine particles to the antiglare layer, the materials do not comprise any of the list of conductive particulates featured in Applicant's claims.

Instead, Oka identifies various metal oxides, *e.g.*, ZnO, TiO₂, CeO₂ and the like, rather than the metals, borides, nitrides and carbides of Applicant's features. See, *e.g.*, col. 12, lines 16-34 of Oka. Also, Oka discloses that these oxide particles are included in a binder resin, rather than an inorganic material as recited in claim 2. See, *e.g.*, col. 11, line 33 - col. 12, line 15 of Oka. Thus, by providing an organic material containing oxide particles, Oka teaches away from Applicant's claimed features.

Taniguchi also does not compensate for the deficiencies of Hashizume and Oka, but rather discloses an optical article having an antireflection film formed on a substrate and an organic coating. The Final Office Action asserts that Taniguchi discloses an antistatic electroconductive layer that includes conductive metals such as Au, Ag and Al. See, *e.g.*, col. 6, lines 13-23 of Taniguchi. However, Taniguchi does not include such metals as Pd, Pt, Ru, Ti, In, Cu, Cr, Fe, Zn, Ta, W, Pb recited in Applicant's independent claims, not to mention the borides, nitrides and carbides also recited. See Abstract and col. 6, lines 13-23 of Taniguchi.

Thus, the combination of the applied references fails to teach or suggest Applicant's claimed features. Withdrawal of the §103 rejection of claims 1-3, 5-13 and 16-18 is respectfully requested.

The Final Office Action further rejects claim 4 under 35 U.S.C. §103(a) over Hashizume in view of Oka and Taniguchi and further in view of U.S. Patent 6,423,404 to Ohtsuka *et al.* (Ohtsuka). This rejection is respectfully traversed.

Ohtsuka does not compensate for the deficiencies of Hashizume, Oka and Taniguchi outlined above for claim 1. Further, Ohtsuka fails to teach or suggest that the antistatic layer having a resistance value ranging from 10^6 to $10^8 \Omega/\square$, as recited in claim 4. Instead, Ohtsuka describes a transparent layer with antimony oxide particles having a surface resistance ranging between 10^8 and $10^{10} \Omega/\square$. Also Ohtsuka provides a similar layer using indium tin oxide particles with a surface resistance ranging between 10^4 and $10^6 \Omega/\square$. These ranges lie completely outside the range recited in Applicant's claims. See, *e.g.*, col. 7, lines 15-26 of Ohtsuka. By providing ranges that completely exclude surface resistances from 10^6 to $10^8 \Omega/\square$, Ohtsuka teaches away from Applicant's claimed features. Also, Ohtsuka compares results for carbon, titanium oxynitride and their combinations. See, *e.g.*, Table 5 of Ohtsuka. Neither of these materials are included for Applicant's features, and Ohtsuka teaches no materials for the conductive particulates recited in Applicant's claims.

Thus, the combination of the applied references fails to teach or suggest Applicant's claimed features. Withdrawal of the §103 rejection of claim 4 is respectfully requested.

The Final Office Action further rejects claims 14 and 15 under 35 U.S.C. §103(a) over Hashizume in view of Oka and Taniguchi and further in view of U.S. Patent 6,379,010 to Suzuki *et al.* (Suzuki). This rejection is respectfully traversed.

Applicant asserts that Suzuki does not compensate for the deficiencies of Hashizume, Oka and Taniguchi outlined above for claim 1. Further, Suzuki fails to teach or suggest a phase plate disposed adjacent to at least one of a light source side and a projection lens side of the electro-optical apparatus, as recited in claims 14 and 15.

Instead, Suzuki describes a projection type display having liquid crystal light valves 21 R, G, B and polarizing plates 20 R, G, B with half-wave plates 20 Ri, Gi, Bi for polarizing conversion. See Abstract and col. 16, lines 43-48 of Suzuki. However, Suzuki fails to provide for a phase plate as recited in Applicant's claims.

Thus, the combination of the applied references fails to teach or suggest Applicant's claimed features. Withdrawal of the §103 rejection of claims 14 and 15 is respectfully requested.

For at least these reasons, Applicant respectfully asserts that the independent claim is now patentable over the applied references. The dependent claims are likewise patentable over the applied references for at least the reasons discussed as well as for the additional features they recite. Consequently, all the claims are in condition for allowance. Thus, Applicant respectfully requests that the rejections under 35 U.S.C. §103 be withdrawn.

IV. Conclusion

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,


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